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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,294	09/21/2005	Pierre Benato	ASK-009	1923
32954 7590 03/25/2009 JAMES C. LYDON 100 DAINGERFIELD ROAD SUITE 100 ALEXANDRIA, VA 22314				
EXAMINER				
LEE, SEUNG H				
ART UNIT		PAPER NUMBER		
2887				
MAIL DATE		DELIVERY MODE		
03/25/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/550,294

Applicant(s)

BENATO, PIERRE

Examiner

SEUNG H. LEE

Art Unit

2887

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 12 and 14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12 and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Receipt is acknowledged of the response filed on January 17, 2009, which has been entered in the file.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-10, 12 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Morizumi et al. (US 6459588 B1).

Re claims 1-10, 12 and 14: Morizumi et al. discloses a method for manufacturing an antenna of a hybrid contact-contactless or contactless smart card that includes a support 11 on which the antenna is made, two card bodies on each side of said support [11, 41] (figs. 1, 3 & 8), each of said card bodies comprising at least one thermoplastic layer, and a chip 12 or a module connected to the antenna 13, comprising the steps of: depositing a layer 14 of a material consisting essentially of resin on a predetermined zone on said antenna support 11, said zone corresponding to an imprint of the antenna the location where the antenna is to be printed or being slightly larger than said antenna location (fig. 1), manufacturing the antenna, including consisting essentially in screen printing turns and two connection pads of electrically conductive ink on said zone prepared beforehand on said support and subjecting said support to a heat treatment in order to bake said ink (col. 4, lines 15-44), wherein the layer of resin 14 is more

dimensionally stable than the antenna support 11 at elevated temperature and pressure (i.e., based on the material properties of the resin 14 and the support 11) (col. 3, lines 45-55 and col. 4, line 53 through col. 5, line 19); wherein said material layer is an offset ink (col. 4, lines 26+); wherein said ink consists essentially of rosin (col. 4, lines 26+); wherein said ink consists essentially of epoxy cyanoacrylate resin (col. 4, lines 26+); wherein said two card bodies are laminated on each side of said support in two steps, the first lamination step comprising welding on each side of said antenna support two homogenous thermoplastic sheets by hot press moulding at a temperature sufficient for the material that makes up the sheets to soften and to flow completely so as to eliminate all differences in thickness of the support, and a second lamination step performed after a duration corresponding to the time required for said thermoplastic sheets to solidify, said second step comprising welding on the antenna support of constant thickness obtained after the first lamination step two layers of plastic material, constituting the body of the card, by hot press moulding, wherein said two card bodies are laminated on each side of said support according to a single lamination step comprising welding on each side of said antenna support at least two thermoplastic layers (col. 6, lines 22-65; and col. 8, line 40 through col. 9, line 57).

Response to Arguments

3. Applicant's arguments filed January 07, 2009 have been fully considered but they are not persuasive.

in response to the applicant argument that "...Morizumi et al. fails to disclose or suggest the "entire antenna location" feature of the claimed method and smart card." (see page 7, 3rd paragraph), the Examiner respectfully agrees with the applicant that the isolation layer (14) of Morizumi et al. does not provide location where the entire antenna is printed thereon, however, the area of the entire antenna printed is larger than the layer or support as shown in figure 1. Accordingly, given its broadest reasonable interpretation, the teachings of Morizumi et al. meets the claimed limitations.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SEUNG H. LEE whose telephone number is (571)272-2401. The examiner can normally be reached on Monday-Friday, 7:30 AM- 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven S. Paik can be reached on (571) 272-2404. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Seung H Lee/
Primary Examiner, Art Unit 2887